

PERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN DIEGO  
CENTRAL  
MINUTE ORDER

Date: 01/28/2009

Time: 08:15:00 AM

Dept: C-71

Judicial Officer Presiding: Judge Ronald S. Prager  
Clerk: Kathleen Sandoval, Clara Banks

Bailiff/Court Attendant: L. Wilks  
ERM:

Case Init. Date: 12/03/2001

Case No: JCCP4221

Case Title: JCCP4221 COORDINATION PROCEEDING  
NATURAL GAS ANTI-TRUST CASES

Case Category: Civil - Unlimited

Case Type: Antitrust/Trade Regulation

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Event Type: Ex Parte

Causal Document & Date Filed:

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**Appearances:**

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Appearances by Brad Baker Designated Representative of Sempra Settlement personally present for Plaintiffs.

This current order of parties which opted out of Price Indexing erroneously were erroneously dropped in Sempra Case. This order corrects that and is granted. (see attached)

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MINUTE ORDER

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Calendar No.: 10

<p style="text-align: center;"><b>Superior Court of California</b>  <b>County of San Diego</b>  <b>SIGN-IN SHEET</b></p>	Calendar No.: <b>10</b>
	Court Use Only

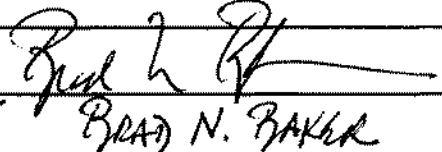
**CASE:** JCCP4221 - JCCP4221 COORDINATION PROCEEDING NATURAL GAS ANTI-TRUST CASES

**EVENT TYPE:** Ex Parte

**EVENT DATE/TIME:** 01/28/2009 8:15 am

**DEPARTMENT:** C-71

**JUDGE:** Ronald S. Prager

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
ALIOTO, JOHN I	HACKETT, PHILIP [PLN]	
AMAMGBO, C DONALD	LOIS THE PIE QUEEN [PLN]	
AQUILA MERCHANT SERVANT INC	[DFN]	
BAKER, BRAD N	DESIGNATED REPRESENTATIVE TEAM DESIGN DBA [PLN]	 BRAD N. BAKER
BARENBAUM, DANIEL E	OF SHIPPLA SETTLEMENT H&M ROSES INC et. al. [PLN]	
BATES, BRIAN	[DFN]	
BEDROSIAN, CARLA	WD ENERGY SERVICES INC [DFN]	
BEHRENS, ERIC K	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA [PLN]	
BENNETT, DEBORAH P	COUNTY OF SAN MATEO [PLN]	
BERG, ANDREA INDIVIDUALLY & DBA	[RSP]	
BERG, ANDREW	[RSP]	
BERNSTEIN, WILLIAM	DE FRANCESCO & SONS INC et. al. [PLN]	
BLECHER, MAXWELL M	LUNDAY-THAGARD COMPANY et. al. [PLN]	
BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY	[PLN]	
BORTHWICK, ROBERT J	SAN DIEGO GAS AND ELECTRIC [DFN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
Boucher, Raymond	BUSTAMANTE, CRUZ M [PLN]	
BROOKS, JOHN T.	JCCP4221 NATURAL GAS ANTI-TRUST CASES - DEFENDANTS et. al. [DFN]	
BROSNAHAN, JAMES J	EL PASO CORPORATION et. al. [DFN]	
BURROUGHS, AMELIA F	BROWN, DAVID C [PLN]	
BUSTAMANTE, CRUZ	[PLN]	
BUSTAMANTE, CRUZ M	[PLN]	
CABRILLO POWER I LLC	[DFN]	
CABRILLO POWER II LLC	[DFN]	
CALIFORNIA STEEL INDUSTRIES INC	[PLN]	
CASEY III, THOMAS F	COUNTY OF SAN MATEO [PLN]	
CHIBUEZE, REMIGIUS	LOIS THE PIE QUEEN [PLN]	
CMC ENERGY CORPORATION	[DFN]	
CMS ENERGY	[DFN]	
CMS MARKETING SERVICES AND TRADING COMPANY	[DFN]	
COOPER, JOSEF D	BENSCHIEDT, MARK [PLN]	
COOPER, ROBERT E	SAN DEIGO GAS & ELECTRIC CO et. al. [DFN]	
COPELAND, J GREGORY	RELIANT ENERGY SERVICES et. al. [DFN]	
CORALLO, KAREN C	CENTERPOINT ENERGY INC [DFN]	
CORBITT, CRAIG C	BENSCHIEDT, MARK [PLN]	
COTCHETT, JOSEPH W	ABAG Publicly Owned Energy Resources et. al. [PLN]	
COUGHLAN, R J JR	AQUILA MERCHANT SERVANT INC et. al. [DFN]	
COYLE, MICHELE C	AEP ENERGY SERVICES INC [DFN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
CREGAN, NORA	RELIANT ENERGY ELLWOOD LLC [DFN]	
CULLEN, BRENDAN PETER	ENCANA COPORATION et. al. [DFN]	
DICANIO, JACK P	ZANABONI, KATHLEEN M et. al. [DFN]	
DUKE ENERGY AND MARKETING L L C	[DFN]	
DUKE ENERGY CAROLINAS LLC	[DFN]	
DUKE ENERGY FIELD SERVICE INC	[DFN]	
DUKE ENERGY NORTH AMERICA	[DFN]	
DUKE ENERGY TRADING AND MAREKTING LLC	[DFN]	
DUKE ENERGY TRADING AND MARKETING L L C	[DFN]	
DUPRE, ERIC L	BOWER, WILLIAM PATRICK [PLN]	
DYNEGY ENERGY MARKETING AND ORIGINATION INC	[DFN]	
DYNEGY MARKETING AND TRADE INC	[DFN]	
EL PASO MERCHANT ENERGY-GAS LP	[DFN]	
EL PASO SPM COMPANY	[DFN]	
EL SEGUNDO POWER LLC	[DFN]	
ENCANA COPORATION	[DFN]	
ENCANA ENERGY SERVICE INC	[DFN]	
English, Donald A	WILLIAMS COMPANIES INC et. al. [DFN]	
EYERLY, MICHAEL C	BUSTAMANTE, CRUZ M [PLN]	
FASTIFF, ERIC B	H&M ROSES INC et. al. [PLN]	
FAUTH JR, GORDON M	BROWN, DAVID C [PLN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
FINEMAN, NANCY L	ABAG Publicly Owned Energy Resources et. al. [PLN]	
Fogelman, James P	SAN DIEGO GAS & ELECTRIC CO et. al. [DFN]	
FOGELMAN, MARK	BOWER, WILLIAM PATRICK et. al. [PLN]	
FRECCERO, STEPHEN P	EL PASO MERCHANT ENERGY - GAS LP et. al. [DFN]	
GABRIEL, LARRY W	OBERTI WHOLESALE FOODS INC [PLN]	
GIRARD, DANIEL C	BROWN, DAVID C [PLN]	
GOODMAN, MICHELLE B	CANTERA GAS COMPANY et. al. [DFN]	
GORMAN, SEAN R D	AQUILA INC et. al. [DFN]	
GRIFFIN, PAUL R	TXU CORPORATION et. al. [DFN]	
HA, DINH	CORAL ENERGY RESOURCES L P et. al. [DFN]	
HADDAD, MARK E	CMS MARKETING SERVICES AND TRADING AKA [DFN]	
HANDLER, CAROLE	EL PASO NATURAL GAS COMPANY [DFN]	
HANSON PERMANENTE CEMENT INC	[PLN]	
HARRISON, ORRIN L	CENTERPOINT ENERGY INC [DFN]	
HART II, HOYT E.	OLDER, DAN L [PLN]	
HEALEY, CHRISTOPHER J.	Los Angeles Department of Water and Power et. al. [PLN]	
HERNANDEZ, ELIZABETH A	SILVERMAN, MICHAEL [PLN]	
HERRERA, DENNIS J	[PLN]	
Hill, Song J.	DEPARTMENT OF WATER AND POWER et. al. [APP]	
HIMMELSTEIN, BARRY R	A L GILBERT COMPANY et. al. [PLN]	
HOLST, JAMES E	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA [PLN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
HOULIHAN, TERRY J	RELIANT ENERGY SERVICES INC et. al. [DFN]	
HOWARD, DEREK G	VITTICE CORPORATION [PLN]	
JAZAYERI, PETER F	SEMPRA ENERGY TRADING CORP [DFN]	
JCCP4221 CLASS PLAINTIFFS NATURAL GAS ANTI-TRUST CASES	[PLN]	
JENKINS, THOMAS A	OBERTI WHOLESALE FOODS INC [PLN]	
JOYE, GARY M	DEMENNO-KERDOON [PLN]	
KASS, MICHAEL J	DYNEGY ENERGY MARKETING AND ORIGINATION INC et. al. [DFN]	
KATSELL, NOAH A	WILLIAMS COMPANIES INC et. al. [DFN]	
KATZ, BRUNO	CANTERA NATURAL GAS INC et. al. [DFN]	
KELLEY, ROSEMARY F	SACRAMENTO MUNICIPAL UTILITY DISTRICT [PLN]	
KELLY, KATHLEEN A	TXU ENERGY SERVICES [DFN]	
KLEINMAN, JOEL B	CANTERA NATURAL GAS INC et. al. [DFN]	
KRAUSE, JAMES C	OLDER, DAN L [PLN]	
LACK, WALTER J	STEVENSON, TOM [PLN]	
LARSON, PETER	ASSOCIATED FEED AND SUPPLY CO INC et. al. [PLN]	
LEE, LOYD C	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA [PLN]	
LEHMANN, MICHAEL P	BENSCHIEDT, MARK [PLN]	
LEIDERMAN, HARVEY L	BOWER, WILLIAM PATRICK [PLN]	
LEITER, MAURICE A	ENSERCO ENERGY INC [DFN]	
LEVY, RICHARD PAUL	SAN DIEGO GAS & ELECTRIC CO [DFN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
LICHTMAN, JOSHUA D.	CORAL ENERGY RESOURCES L P et. al. [DFN]	
LOCKYER, BILL	PEOPLE OF THE STATE OF CALIFORNIA et. al. [APP]	
LONG BEACH GENERATION LLC	[DFN]	
LUNDY, ALBRO L	STEVENSON, LYNETTE [PLN]	
MADERA WASH DEPOT	[PLN]	
MARCIL, GERALD J	[RSP]	
MASON, PETER H.	CORAL ENERGY RESOURCES L P et. al. [DFN]	
MCCABE, JAMES F	EL PASO MERCHANT ENERGY LP [DFN]	
MCGIMSEY, DIANE L	WD ENERGY SERVICES INC [DFN]	
MOGIN, DANIEL J.	OLDER, DAN L [PLN]	
MOORE, CHARLES A	AQUILA MERCHANT SERVICE INC et. al. [DFN]	
MORRIS, STEVE	EL PASO MERCHANT ENERGY-GAS COMPANY et. al. [DFN]	
MULLIGAN, DANIEL J	OBERTI WHOLESALE FOODS INC [PLN]	
MUMFORD, MARCUS R	ZANABONI, MARY KATHLEEN [DFN]	
NEEDHAM, W TIMOTHY	BENSCHIEDT, MARK et. al. [PLN]	
NESE, BRIAN J	SEMPRA ENERGY TRADING CORP [DFN]	
NISHIMURA, Nanci E	ASSOCIATION OF BAY AREA GOVERNMENTS et. al. [PLN]	
NURSERYMAN'S EXCHANGE OF HALF MOON BAY	[DFN]	
OROMCHIAN, ALI	OLDER, DAN L [PLN]	
ORTLIEB, FREDRICK M	CITY OF SAN DIEGO [PLN]	
PALMER, DAVID G	EL PASO CORPORATION et. al. [DFN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
PARISH, WILLIAM H	PODESTA, CRAIG [PLN]	
PARRISH, SHAWN D	OWENS-BROCKWAY GLASS CONTAINER INC [PLN]	
PITTMAN, DAWN S	EL PASO ENERGY WEST COAST HOLDING CO et. al. [DFN]	
PRICE, WILLIAM C	CORAL ENERGY RESOURCES LP [DFN]	
PRINGLE, ROBERT B	TXU ENERGY SERVICES et. al. [DFN]	
PRITCHARD, DIANE E	EL PASO NATURAL GAS COMPANY [DFN]	
RAVEL, ANN MILLER	COUNTY OF SANTA CLARA [PLN]	
RAVIPUDI, RAHUL	SILVERMAN, HALEEMA [PLN]	
REGENTS OF THE UNIVERITY OF CALIFORNIA	[PLN]	
RELIANT ENERGY COOLWATER LLC	[DFN]	
RELIANT ENERGY ELLWOOD LLC	[DFN]	
RELIANT ENERGY ETIWANTDA LLC	[DFN]	
RELIANT ENERGY MANDALAY LLC	[DFN]	
RELIANT ENERGY SERVICES	[DFN]	
RELIANT ENERGY SREVICES INC	[DFN]	
RELIANT ORMOND BEACH LLC	[DFN]	
RENNE, LOUISE	ASSOCIATION OF BAY AREA GOVERNMENTS et. al. [PLN]	
RICHARDSON, CRAIG V	EL PASO CORPORATION et. al. [DFN]	
ROBECK, MARK R	RELIANT ENERGY SERVICES INC et. al. [DFN]	
RUSHING, GEOFFREY C	SHANGHAI 1930 RESTAURANT PARTNERS LP [PLN]	
SACKS, ROBERT A	ENCANA CORPORATION et. al. [DFN]	



ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
SAN DEIGO GAS & ELECTRIC CO	[DFN]	
SAVERI, GUIDO	SHANGHAI 1930 RESTAURANT PARTNERS LP [PLN]	
SAVERI, JOSEPH R	H&M ROSES INC [PLN]	
SAVERI, R ALEXANDER	SHANGHAI 1930 RESTAURANT PARTNERS LP [PLN]	
SCARPULLA, FRANCIS O	BENSCHIEDT, MARK et. al. [PLN]	
SCHRIMP, ROGER M	A L GILBERT COMPANY [PLN]	
SEARCY, MARSHALL M	CORAL ENERGY RESOURCES LP [DFN]	
SHOHET, JEFFREY M.	THE WILLIAMS COMPANIES INC et. al. [DFN]	
SINGER, DAVID R	AEP ENERGY SERVICES INC [DFN]	
SMALL II, ARTHUR A	PODESTA, CRAIG [PLN]	
STEER, REGINALD D	CENTERPOINT ENERGY INC [DFN]	
Stonebarger, Gene J	A L GILBERT COMPANY [PLN]	
Team Design	[PLN]	
TERRELL, REGINALD	LOIS THE PIE QUEEN [PLN]	
THOMPSON, DOUGLAS G	OLDER, DAN L [PLN]	
TRAINA, PAUL A	TEAM DESIGN DBA [PLN]	
TRIBBLE, DOUGLAS R	DYNEGY INC et. al. [DFN]	
TXU ENERGY RESOURCES	[DFN]	
UNRUH, ROCKY N	OWENS-BROCKWAY GLASS CONTAINER INC [PLN]	
URQUHART, A. WILLIAM	CORAL ENERGY RESOURCES L P et. al. [DFN]	
VISTA METALS CORP	[PLN]	
WALKER, CLINTON P	A L GILBERT COMPANY [PLN]	
WASHINGTON, BRIAN E	COUNTY OF ALAMEDA [PLN]	

ATTORNEY/PARTICIPANT NAME	CLIENT NAME	SIGNATURE
WAVE LENGTH HAIR PRODUCTIONS DBA	[RSP]	
WHITE, ALYSSA MILMAN	American Remedial Technologies [DFN]	
WIENER, SETH W	AQUILA MERCHANT SERVANT INC et. al. [DFN]	
WILLIAMS ENERGY MARKETING & TRADING	[DFN]	
WILLIAMS ENERGY MARKETING AND TRADING CO	[DFN]	
WILLIAMS ENERGY MARKETING AND TRADING COMPANY	[DFN]	
WILLIAMS ENERGY SERVICES	[DFN]	
WILLIAMS ENERGY SERVICES COMPANY	[DFN]	
WILLIAMS, STEVEN N	ASSOCIATION OF BAY AREA GOVERNMENTS et. al. [PLN]	
WINNIE, RICHARD E	COUNTY OF ALAMEDA [PLN]	
YOUNG, BENNETT G	AQUILA MERCHANT SERVANT INC et. al. [DFN]	
YUDKOWSKY, ALAN Z	SEMPRA ENERGY TRADING CORP [DFN]	

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8 10100 Santa Monica Boulevard, 12th Floor  
Los Angeles, CA 90067-4107  
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9 *Co-Designated Representatives of Sempra Settlement*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN DIEGO

12 (UNLIMITED JURISDICTION)

13  
14 Coordination Proceeding Special Title (Rule 1550(b)): J.C.C.P. Nos. 4221, 4224, 4226 & 4228

15 NATURAL GAS ANTI-TRUST CASES  
16 I, II, III & IV

The Honorable Ronald S. Prager  
Coordination Trial Judge

17 This Document Relates to:

18 All Class Action Cases  
19  
20  
21

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' EX PARTE  
APPLICATION FOR SECOND  
MODIFIED DISTRIBUTION  
ORDER IN SEMPRA  
SETTLEMENT**

Date: January 28, 2009  
Time: 8:15 a.m.  
Dept.: 71

**F I L E D**  
Clerk of the Superior Court

JAN 28 2009


By: K SANDOVAL, Deputy

1           Sempra Class Plaintiffs' *ex parte* application for a modified distribution order  
2 came on for hearing on January 28, 2009. Based on the *ex parte* application, the accompanying  
3 memorandum of points and authorities, and the accompanying declaration of Aaron Waugh, good  
4 cause appearing, the Court grants the application, and rules as follows:

5           The modified Order Granting Plaintiffs' *Ex Parte* Application for Order  
6 Authorizing Initial Distribution of Price Indexing Settlement Proceeds and Sempra Settlement  
7 Proceeds to Non-Core Claimants, granted on November 20, 2008, is hereby modified as follows:  
8 In numbered paragraph 1, the words "Exhibit 4 to the Report and Declaration of Settlement  
9 Administrator Regarding Non-Core Claims." shall be deleted and replaced with "Exhibit A to the  
10 Declaration of Aaron Waugh in Support of Plaintiffs' *Ex Parte* Application for Second Modified  
11 Distribution Order filed January 21, 2009."

12           IT IS SO ORDERED.

13  
14 Dated: January 28, 2009

  
HON. RONALD S. PRAGER  
Coordination Trial Judge